

**Dugan, Brett**

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**From:** (b) (6) (b) (6) >  
**Sent:** Thursday, April 06, 2017 3:54 PM  
**To:** AirQuality  
**Subject:** Air Quality redesignation comments

6 April, 2007

To whom it may concern:

I am writing in response to the request to change the air quality designation of the Kalispel Reservation from a Class 2 designation to a Class 1 designation. In my review of this issue, I have determined that this is an ill-advised effort that will show to be rife with unintended consequences that will be significant to ALL residents of the area, tribal and non-tribal alike. Experience has shown when a single issue is allowed to dominate thinking and discussions; many other crucial factors are forced to change, generally with negative results. Additionally, I must add that while the consultants that were hired to write the technical report compiled a lengthy report, they did not hesitate to pick and choose information that met their objective while not comprehensively addressing the factors that do not support this redesignation request.

In this particular case, there is no one that will deny that having pure air is a good thing. That, however, is a simplistic statement that does not allow for the development of critical balances that must be recognized as necessary for support of a smoothly functioning society. A partial list of the balances that must be struck is: 1) the ability for employers in the affected area to remain competitive with employers outside of the affected area due to the cost of increased regulation; 2) the relocation of employers in total due to increased regulation (consider the number of companies leaving Southern California for Texas due to lower regulatory environment in Texas); 3) the impact on local social safety nets due to wage stagnation, wage reduction or employee lay-off due to employer actions to remain competitive from items 1 and 2 above; 4) the reduction of government services or increase in taxes to compensate for lost tax revenue due to employers leaving the area, lost jobs and/or reduced wages; 5) the social costs associated with perceptions that inevitably develop when a special cause is promoted by a single entity rather than a broad based coalition of parties. These cannot be adequately addressed with even a 237 page report and a comment period.

It is interesting to me that the report clearly identifies the adjudicated lands that the Kalispel Tribe feels is their native land beyond the current reservation. What is not addressed is why the justifications for the economic and social impacts are not associated at all with these lands but instead focus on the large metropolitan area sixty miles south of the reservation. Is it because the only way this redesignation can be justified is to ride on the success of a large population center so that specific analyses cannot be performed or be made to appear as not necessary or are simply a diversion from the socioeconomic success (read failures)

on the reservation? Look at Section 4.4.2 and specifically 4.4.2.2 where it is stated, *“There currently are no proposed facilities seeking air quality permits that might be impacted by Class I redesignation of the Kalispel Reservation. That makes the analysis of how a Class I redesignation might or might not limit a particular type of economic activity in the economic region speculative.”* This is disingenuous to make a statement like this but then build the entire case for either no economic impact or actual improvement with no more data than that the significantly sized and distant off-reservation area has been growing for 40 years so it is not likely that much harm can come from this or it can be absorbed. Further, considering the Spokane area as the Kalispel Reservation Economic Area, even limiting it to the North Spokane area, (see 4.4.2.1 ¶ 1, 4.4.2.2 ¶ 2 and many others) is a display of incredible hubris. Along these same lines, why did the tribe open a casino on NON-TRIBAL lands and why are they now trying to stop another tribe from doing the same thing? If the Kalispel Tribe really has so much economic impact that they can legitimately refer to the Greater Spokane area as their Economic Area, why wasn't Northern Quest built in Cusick? This whole thing smacks of selfishness to use special treatment so as to be the only ones who can have their cake and eat it too.

Having even a few employers in an area that pay higher wages is significant to the overall economic health of the area. Keeping them there is critical for everyone in the area, even if they do not work directly for those employers. In the Newport area, Zodiac Aerospace is one of those types of employers. Through my experience in the aerospace industry, I know that Zodiac Aerospace walks a fine line to pay well and yet remain competitive with a proliferation of low-cost international aerospace suppliers. I think that this, in large part, is a testament to the work ethic of the people in this area. The point here is that it would not take a lot of increased regulatory costs to make Zodiac Aerospace's operation here unprofitable and lead their parent corporation to relocate their work. I have worked where even leaving a cap off of a squirt bottle of solvent while wiping down a part results in a \$300 plus dollar fine due to Class 1 air quality requirements. I also have first-hand experience working in the (b) (6) area where regulation has depressed wages to the point that highly skilled welders working on critical titanium flight hardware are being paid less than \$15.00 per hour. I have no idea how anyone can live in that area on those wages and I would hate to see Pend Oreille County wages become similarly depressed due to regulation causing an employer to choose between paying a good wage and staying in business. The technical report states that it is very unlikely that this redesignation will affect current employers; however, the writers of this report have no power or authority to make that guarantee. Once the change is made and this area becomes a Class 1 Air Quality area, the decisions will be out of local hands and will be determined as government employees interpret the regulations. **DO NOT BELIEVE ANY PROMISES OF FUTURE GUARANTEES BY ANY GOVERNMENT AGENCY OR INDIVIDUAL OR SPECIAL INTEREST REPRESENTATIVE. YOU WILL HAVE NO CONTROL AND LITTLE IF ANY LEGAL STANDING TO CHALLENGE FUTURE INTERPRETATIONS OF THE REGULATIONS!**

The technical report, in an apparent effort to build credibility and influence of the tribe, considers the counties of Spokane, Stevens and Pend Oreille as the “Kalispel Reservation Economic Area”. Why is it not called the Spokane Reservation Economic Area? After all, the Spokane Tribe Reservation is 10 miles closer to Spokane than the Kalispel Reservation. Why not just admit that the Greater Spokane area is not beholden to the tribes and that the tribes do not influence the economy of the area and so remove from this report the inferences that the Kalispel Reservation has any real influence on the Greater Spokane area other than the money removed from the area through its off-reservation gambling operation? In section 3.8 paragraph 5 of the report, the writers attempt to claim that there are 5,400 workers that commute from Stevens and Pend Oreille counties into Spokane and that somehow makes the Kalispel petition to redesignate the air quality standard

more acceptable because of the wages that are brought into those counties. How is this a positive future effect when the likelihood of automobile emission standards being tightened and testing put in place increases and will also affect people that do not commute outside of their local area? How does this help low income residents of these counties when they are forced to purchase newer cars to meet standards because their old car still runs but is too expensive to repair to the point of meeting newer standards? The money brought as wages into Stevens and Pend Oreille counties will go right back to Spokane when rural residents are coerced into purchasing newer vehicles. If you wish to argue that this will not happen, please refer to the last two sentences of the paragraph above. It has happened elsewhere and will happen here if this redesignation is allowed.

Addressing even the partial list I made in the first paragraph would be exceptionally time consuming to address and what little I have had time to state here certainly shows how involved these impacts become. In my undergraduate education, I spent some time studying environmental economics and so am somewhat conversant with the issues at hand. In general, industry has come to recognize the economic value of limiting pollutant emissions either by converting them to a useful product, mitigating their production or lastly filtering them. Industry is also incentivized to not become the poster child for social and environmental irresponsibility. Given these conditions of complexity of the problems and industry's general desire to be responsible, it is most definitely in everyone's best interest to find a solution outside of government intervention. The closer the solution can be created to and by those affected by it, the more effective and less onerous it will be.

Growing up in the (b) (6) area, I am familiar with widespread temperature inversions that blanket the (b) (6) for weeks at a time and the concern for air quality. There are usually smaller areas that are more impacted by the inversions than other areas, generally, in the winter time because of a higher residential concentration where wood burning for heat is more prevalent. I also found this to be the case in the (b) (6) area where I lived for over 30 years. Interestingly enough, the government air quality regulations allow for those with wood as their sole source of heat to continue to use wood heat regardless of the air quality. I suspect that the major source of the measured air quality issues in the Cusick and Usk area is from wood heating being done in a relatively small zone of the Pend Oreille River valley. It is most definitely not the full 60 mile radius impact zone (or larger if regulators are unsatisfied with results) that the regulation change would create. Perhaps, rather than relying on the heavy hand of government regulation with its certain followers of ill consequences, the Kalispel Tribe should consider developing, promoting or leading an effort to incentivize making changes to mitigate the development of poor air quality in the first place. Through identification of the specific sources of poor air quality and then assisting in ways that provide an economic benefit for reducing or eliminating the pollutant, the tribe would receive the air quality benefit they desire without being seen as significant social disruptor.

By way of disclosure, I am a (b) (6) from the (b) (6) Industry and have seen the cause and effects of this type of action in multiple areas over the course of my career. I chose to retire to the Newport area mostly because of the life-style, the general attitude of self-reliance of the population, their independence and yet their willingness to assist and help their neighbors. I have found this with my neighbors as well as with Pend Oreille County officials (which has been exceptionally refreshing). I would hate for this area to begin

drifting toward the same social values (i.e. let government fix all of the problems) as have been repeatedly shown to be detrimental to personal responsibility, individual freedom and happiness.

Sincerely yours,

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